

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 12 2023

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JAMES WILL BONHAM,

No. 22-16542

Plaintiff-Appellant,

D.C. No. 2:21-cv-00406-MTL

v.

MEMORANDUM\*

BANK OF AMERICA, NA,

Defendant-Appellee.

Appeal from the United States District Court  
for the District of Arizona

Michael T. Liburdi, District Judge, Presiding

Submitted June 26, 2023\*\*

Before: CANBY, S.R. THOMAS, and CHRISTEN, Circuit Judges.

James Will Bonham appeals pro se from the district court's order denying his post-judgment motion for reconsideration in his action alleging federal claims in connection with a foreclosure. We have jurisdiction under 28 U.S.C. § 1291.

We review for an abuse of discretion. *Do Sung Uhm v. Humana, Inc.*, 620 F.3d

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

1134, 1140 (9th Cir. 2010). We affirm.

The district court did not abuse its discretion in denying Bonham's motion for reconsideration because Bonham failed to demonstrate any basis for relief. *See Sch. Dist. No. 1J Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262-63 (9th Cir. 1993) (setting forth grounds for reconsideration under Fed. R. Civ. P. 59(e) and 60(b)).

We do not consider Bonham's contentions regarding the underlying judgment because Bonham failed to file a timely notice of appeal of that judgment. *See* Fed. R. App. P. 4(a)(1)(A) (notice of appeal must be filed within 30 days of judgment); Fed. R. App. P. 4(a)(4)(A)(iv), (vi) (post-judgment tolling motions must be filed within 28 days of the entry of judgment).

We do not consider arguments and allegations raised for the first time on appeal. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

**AFFIRMED.**